

The rule primarily affects the convenience of individuals in scheduling activities. By itself, it imposes no direct costs. Its impact is localized in nature.

#### *Small Entities*

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. This proposal, if adopted, would primarily affect individuals and their scheduling of activities. Although it would effect some small businesses, not-for-profits and, the City of West Wendover, it would not be a substantial number. In addition, the change should have little, if any, economic impact.

Therefore, the Office of the Secretary certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment to the Docket Management Facility at the address under **ADDRESSES**. In your comment, explain why you think it qualifies and how and to what degree this rule would economically affect it.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call Joanne Petrie at (202) 366–9315.

#### *Collection of Information*

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### *Federalism*

We have analyzed this proposed rule under E.O. 12612 and have determined that this rule does not have sufficient implications for federalism to warrant

the preparation of a Federalism Assessment.

#### *Unfunded Mandates*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) and E.O. 12875, Enhancing the Intergovernmental Partnership, (58 FR 58093; October 28, 1993) govern the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

#### *Taking of Private Property*

This proposed rule would not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### *Civil Justice Reform*

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### *Protection of Children*

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

#### *Environment*

This rulemaking is not a major Federal action significantly affecting the quality of the human environment under the National Environmental Policy Act and, therefore, an environmental impact statement is not required.

#### **List of Subjects in 49 CFR Part 71**

Time zones.

For the reasons discussed above, the Office of the Secretary proposes to amend Title 49 Part 71 as follows:

#### **PART 71—[AMENDED]**

1. The authority citation for Part 71 would continue to read as follows:

**Authority:** Secs. 1–4, 40 Stat. 450, as amended; sec. 1, 41 Stat. 1446, as amended; secs. 2–7, 80 Stat. 107, as amended; 100 Stat. 764; Act of Mar. 19, 1918, as amended by the Uniform Time Act of 1966 and Pub. L. 97–449, 15 U.S.C. 260–267; Pub. L. 99–359; 49 CFR 159(a), unless otherwise noted.

2. In § 71.9 paragraph (b) would be revised to read as follows:

#### **§ 71.9 Boundary line between mountain and Pacific zones.**

(a) \* \* \*

(b) *Utah-Nevada-Arizona-California.* From the northeast corner of the State of Nevada southerly along the Utah-Nevada boundary to the junction with the northern border of the City of West Wendover, Utah. Then westward along the northern, western, and southern boundaries of the City of West Wendover back to the Utah-Nevada boundary. Then southerly along the Utah-Nevada boundary, the Nevada-Arizona boundary, and the Arizona-California boundary to the boundary between the United States and Mexico.

\* \* \* \* \*

Issued in Washington on July 12, 1999, under authority delegated in 49 CFR § 1.57(a).

**Rosalind Knapp,**

*Acting General Counsel.*

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## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

#### **50 CFR Part 17**

#### **RIN 1018–AF03**

#### **Endangered and Threatened Wildlife and Plants; Canada Lynx; Special Rule Record of Compliance**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** On July 8, 1998, we published a proposed rule to list the United States (lower 48 States) population segment of the Canada lynx as threatened under the Endangered Species Act of 1973, as amended (Act). The listing included a special rule regulation issued under section 4(d) of the Act that would allow the export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of live captive-bred Canada lynx, and skins derived from the captive-bred population of Canada lynx. This notice announces the availability of the Record of Compliance with the various statutory, Executive Order, and Departmental requirements applicable to the special rule regulation and invites comments on the Record of Compliance.

**ADDRESSES:** To request a copy of the Record of Compliance, contact the U.S. Fish and Wildlife Service, Montana

Field Office, 100 N. Park Ave., Suite 320, Helena, Montana 59601. Send your comments on the Record of Compliance to this same address.

**FOR FURTHER INFORMATION CONTACT:**  
Kemper McMaster, Field Supervisor,  
U.S. Fish and Wildlife Service, Montana  
Field Office, at the address above.

**SUPPLEMENTARY INFORMATION:**

On July 8, 1998, we published a proposed rule to list the United States population (lower 48 States) segment of the Canada lynx (*Lynx canadensis*) as threatened, and the captive-bred population of Canada lynx within the lower 48 States as threatened due to similarity of appearance.

The proposed listing rule included a special rule regulation under section 4(d) of the Act that would allow the export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)(50 CFR part 23) of live captive-bred Canada lynx, and skins derived from the United States captive-bred population (lower 48 States) of Canada lynx, accompanied by a valid CITES export tag and permit. CITES is an international treaty for the regulation of international trade in certain animal and plant species. We would authorize such

export in accordance with the permit requirements at 50 CFR 17.32.

The range of the United States population (lower 48 States) segment of the Canada lynx includes the States of Washington, Oregon, Idaho, Montana, Utah, Wyoming, Colorado, Minnesota, Wisconsin, Michigan, Maine, New Hampshire, Vermont, New York, Pennsylvania, and Massachusetts. Currently within the lower 48 States there are facilities in Idaho, Minnesota, Montana, North Dakota, and Utah that raise captive-bred Canada lynx for commercial purposes.

The Department of the Interior Manual Part 318 DM, **Federal Register** Documents, guides the **Federal Register** rulemaking process. A key component of 318 DM is the preparation of a Record of Compliance (ROC). The ROC certifies that a rulemaking action complies with the various statutory, Executive Order, and Departmental Manual requirements applicable to rulemaking. The contents of the ROC include certification of compliance with the requirements of: Executive Order 12866-Regulatory Planning and Review; the Regulatory Flexibility Act, (5 U.S.C. 601 *et seq.*); the Small Business Regulatory Enforcement Fairness Act, (5 U.S.C. 804(2)); the Unfunded Mandates Reform Act, (2 U.S.C. 1501 *et seq.*); Executive

Order 12630-Government Actions and Interference With Constitutionally Protected Property Rights; Executive Order 12612-Federalism; Executive Order 12988-Civil Justice Reform; the Paperwork Reduction Act of 1995 (44 U.S.C. 350); the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*); the President's memorandum of April 29, 1994, "Government-to-Government Relations with the Native American Tribal Governments" (59 FR 22951); and the Department of Interior Manual, Departmental Responsibilities for Indian Trust Resources (512 DM 2). In accordance with the restrictions of section 4(b)(1)(A) of the Act regarding the basis for listing determinations, the economic determinations contained in the ROC are not applicable to the listing decision for the Canada lynx and pertain only to the operation of the special rule regulation under section 4(d) of the Act if the species is listed. You can obtain a copy of this ROC by request (see **ADDRESSES** section).

Dated: May 6, 1999.

**Jamie Rappaport Clark,**

*Director, U.S. Fish and Wildlife Service.*

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